

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

HARRIET L. DAVIS,	)	
	)	
Plaintiff,	)	
	)	Civil No. 05-3079-ST
v.	)	
	)	ORDER
MICHAEL J. ASTRUE <sup>1</sup> , Commissioner	)	
of Social Security,	)	
	)	
	)	
Defendant.	)	
_____	)	

Robert W. Boyer  
980 S.W. Sixth Street, Suite 28  
Grants Pass, Oregon 97526

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<sup>1</sup>On February 12, 2007, Michael J. Astrue became the Commissioner of Social Security. Pursuant to Rule 25(d)(1) of the Federal Rules of Civil Procedure, Michael J. Astrue should be substituted, therefore, for Commissioner Linda S. McMahon as the defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

Tim D. Wilborn  
Wilborn Law Office, P.C.  
19092 S. Beaver creek Road  
PMB #314  
Oregon City, Oregon 97045

Attorneys for Plaintiff

Karin J. Immergut  
United States Attorney  
District of Oregon  
Neil J. Evans  
United States Attorney's Office  
1000 S.W. Third Avenue, Suite 600  
Portland, Oregon 97204-2902

David M. Blume  
Social Security Administration  
701 Fifth Avenue, Suite 2900, M/S 901  
Seattle, Washington 98104-7075

Attorneys for Defendant

KING, Judge:

The Honorable Janice Stewart, United States Magistrate Judge, filed Findings and Recommendation on March 13 ,2007. The matter is before this court. See 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). No objections have been timely filed. This relieves me of my obligation to give the factual findings de novo review. Lorin Corp. v. Goto & Co., Ltd., 700 F.2nd 1202, 1206 (8th Cir. 1983); See also Britt v. Simi Valley Unified School Dist., 708 F.2d 452, 454 (9th Cir. 1983). Having reviewed the legal principles de novo, I find no error.

Accordingly, I ADOPT Magistrate Judge Stewart's Findings and Recommendation (#22).

IT IS HEREBY ORDERED that the Commissioner's Motion to Remand (#16) for further administrative proceeding is denied.

This case is remanded for a finding of disability.

DATED this 17<sup>th</sup> day of April, 2007.

/s/ Garr M. King

GARR M. KING  
United States District Judge